

UNITED STATES DISTRICT COURT FOR
THE STATE OF NEW JERSEY

RECEIVED
FEB 22 2021
AT 8:30

CASE NO. M
WILLIAM T. WALSH
CLERK

XAVIER BAOILLO

v.

FEDERAL BUREAU OF PRISONS

EMERGENCY PRELIMINARY

FAIRTON FCI MEDICAL DEPT.

INJUNCTION PURSUANT TO

ALL MEDICAL STAFF INCLUSIVE, ET AL

FED. R. CIV. P. RULE 65 AND

ANY OTHER

RESTRANDING ORDERS TO CEASE

AND DESIST

COMES NOW XAVIER BAOILLO, PETITIONER PRO-SE AND RESPECTFULLY

REQUESTS FROM THIS HONORABLE COURT FOR AN "EMERGENCY INJUNCTION

PURSUANT TO FED. R. CIV. P. RULE 65 AGAINST THE FEDERAL BUREAU

OF PRISONS FCI FAIRTON MEDICAL DEPT. EMPLOYEES TO CEASE AND

DESIST FROM FURTHER VIOLATIONS OF THE UNITED STATES CONSTITUTION

TO CEASE FROM RECKLESS ENDANGERMENT BY REFUSING TO TREAT

"COVID-19 VIRUS" OF INMATES WHO BECAME~~ED~~ ILL "WITH SYMPTOMS"

AND NOT TREATING AND OR PROVIDING ALSO POST COVID 19 SYMPTOMS

AND BEING UNABLE TO PROVIDE CONDITIONS SUITABLE FOR POST

HOSPITALIZATION CONVALESCENCE AND OR IN GENERAL TO TREAT

COVID 19 SYMPTOMATIC INMATES, AND TO CEASE FROM FURTHER

VIOLATIONS OF THE UNITED STATES CONSTITUTION OF OUR PROTECTIONS

AGAINST CRUEL AND UNUSUAL PUNISHMENTS, VIOLATIONS OF OUR

8TH AND 14TH AMENDMENTS.

THIS HONORABLE HAS JURISDICTION IN THAT THIS IS WHERE ALL PARTIES RESIDE.

FCI FAIRTON HAS AN UNWRITTEN POLICY THRU THEIR MEDICAL DEPT. TO HIDE THE FACTS THAT THEY ARE IN THE MIDST OF A MAJOR COVID 19 OUTBREAK. MY HOUSING UNIT, A-RIGHT, OVER 80 INMATES IN DECEMBER BECAME INFECTED WITH COVID 19 AND ALL HAD

SYMPTOMS AND BECAME VERY ILL. MEDICAL DEPT. DELIBERATELY

REFUSED TO TREAT INMATES WITH COVID 19 SYMPTOMS, SEVERAL

WERE RUSHED VIA AMBULANCE TO ASPERIA HOSPITAL TO BE

TREATED WITH UPPER RESPIRATORY BREATHING PROBLEMS, SEVERAL

DIED DURING THIS OUTBREAK, BUT YET ALONE, MEDICAL STAFF

AT FCI FAIRTON REFUSE TO TREAT INMATES WHO ARE SYMPTOMATIC

AND SICK. THEY LOCK YOU INTO A CELL AND YOU ARE TOLD TO

LIE DOWN "YOU'LL GET BETTER" BUT REFUSE TO GIVE ANY TREATMENT

AND REFUSE TO CHECK ON INMATES DAILY KNOWING THEY ARE

SICK AND SOME HAVE DIFFICULTY BREATHING. THEY, MEDICAL, SEND

A DENTIST AROUND, NO MEDICAL DOCTOR, NO P.A., THEY REFUSE

TO DO DOOR TO DOOR SICK CALL, WHEN INMATES ARE LOCKED DOWN

IN THEIR CELLS. NOW COME FULL SICKLE AND INMATES WHO ARE

TRYING TO RECOVER, MEDICAL REFUSES TO TREAT POST COVID 19

ILLNESS, KNOWING FULL WELL THAT THE AFTEREFFECTS ARE CAN

BE MORE DEADLY, BLOOD CLOTS, LUNG COLLAPSE, PNEUMONIA, HEART

ATTACK, STROKE, ETC. BUT YET ALONE REFUSE FOLLOW UP TREATMENT,

INMATES CONTINUE TO BE SICK WITH POST SYMPTOMS OF COVID 19.

INMATES PETITION TO BE RELEASED VIA 3582 (C)(1)(A), AND

ALSO ASK FOR HOME CONFINEMENT AND ARE DENIED. STAFF ALSO

DO NOT USE PROPER PPE, REFUSE TO PUT HAND SANITIZER IN UNITS

AND DO NOT PROVIDE CLEANING SUPPLIES. WE ARE FED BY PICKING

UP FOOD IN MESS HALL FOR TAKEOUT, FOOD IS INADEQUATE, COLD AND

LOW IN NUTRITIONAL CALORIES. STAFF COME AND GO INTERMINGLING

WITH OTHER UNITS THUS CROSS CONTAMINATING INMATES. INMATES

ARE ALSO NOT ALLOWED TO PROGRAM, THEY REMAIN IDLE IN THE

UNIT WITH NOTHING TO DO WHICH IS NOT MENTALLY HEALTHY FOR

US. MENTAL HEALTH SERVICES NEVER MAKE UNIT ROUNDS TO

CHECK ON ALL INMATES. INMATES WOULD ASK THAT FCI

FAIRTON. CEASE AND DESIST FROM NOT DOING THEIR JOB AND
TREATING INMATES WHO ARE IN WITH COVID 19. ALSO, TO ANOW
INMATES HOME CONFINEMENT AND HALFWAY HOUSE PROGRAMMING,
PLUS TRANSFERS TO LOWER CUSTODY. FAIRTON FCI IS IN THE
MIDST OF ANOTHER COVID 19 OUT BREAK. THAT STAFF MEDICAL
DEPT. CEASE AND DESIST AND START TREATING INMATES WITH
COVID 19. SYMPTOMS AND TREATING INMATES MEDICAL NEEDS
IN GENERAL.

MAY THIS HONORABLE COURT GRANT THIS INJUNCTION
FORTHWITH

RESPECTFULLY,

DATED: 2.14.21

XAVIER BAGILLO 54847177

FCI FAIRTON

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19 FEB 2021 PM 6 L

RECEIVED
FEB 22 2021
9:30 AM
MILLER

AT 8:30 WILLIAM MCNAUL M
STRIKE LEAK

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LEGAL MAIL

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